

Breaking Down The Language Barrier: Translating Limited English Proficiency into Practice

The Department of Justice, US Department of Health and Human Services, and Food & Nutrition Service of the US Department of Agriculture presents the following:

Limited English Proficiency

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Select one of the following languages to view the video:

English, Spanish, Chinese, Korean, Vietnamese

Scenario 1:

Children are singing Ring-A-Round-The-Rosy when a child falls through the attic floor to the main floor. The Grandmother dials 911 speaking Spanish stating her Granddaughter is hurt. The 911 Operator is unable to speak Spanish and cannot communicate with the Grandmother to get the address or find out what happened. The 911 operator tells her to call back with an interpreter.

Narrator:

Ramon Rodriguez, Host of "Hispanics Today" presents information on the United States greatest strengths being the inclusion and integration of individuals who speak a variety of different languages.

Languages spoken at home in the United States in 2000 statistics provided as follows:

English: 215,423,557

Asian & Pacific Island languages: 6,960,065

Other Indo-European languages: 10,017,989

Spanish: 28,101,052

Other: 1,872,489

The United States is bound by shared dreams and a common set of legal principles governing our society.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d

"No person in the United States shall on the ground of race, color or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Let's focus on one part of Title VI, the prohibition against discrimination on the basis of national origin. What is national origin? It refers to ancestry. National origin discrimination encompasses all actions that treat a person or a group of people differently or more harshly because of that ancestry. One characteristic often associated with ancestry is language. Discrimination based on an individual's inability to speak, read, write, or understand English, may be a type of national origin discrimination. If individuals have a limited ability to speak, read, write, or understand English, they are Limited English Proficient or LEP.

All entities who receive federal financial assistance are called recipients (hospitals, housing authorities, state agencies) and must provide LEP individuals meaningful access to important benefits, services, and information that are available to those who speak English.

Title VI has been part of our nation's civil rights laws since 1964, and EO 13166 directed federal agencies to provide their recipients with guidance on how to comply with Title VI by taking reasonable steps to provide meaningful access to LEP persons. Federal agencies must comply, too.

Meaningful access means to consider four factors:

1. The number or proportion of LEP persons in the community
2. The frequency of contact a recipient has or should have with LEP persons
3. The nature and importance of the benefit, service, communication, encounter, or information to the LEP person.
4. The resources available to the program along with the costs of providing language assistance

Balancing these factors will help to determine the level of language services necessary to provide meaningful access.

Scenario 2:

A non-English speaking man enters a hospital holding his hand exhibiting pain. The staff tries to contact an employee who speaks an Asian language. She cannot speak his language. The receptionist has him sign a form. The doctor tries to communicate with him. The doctor gives him pain medication. The man has an allergic reaction to the medication causing a life threatening situation.

The hospital needs to take reasonable steps to serve the Vietnamese population in their area.

Scenario 2 is replayed reflecting the use of a competent interpreter at the hospital. The Vietnamese man has an interpreter communicate with him identifying what his injury is and that he is allergic to a certain medication. The result is competent interpretation for appropriate treatment.

Narrator:

Let's review the hospital procedures

1. I Speak language cards are used to identify the language of the patient.
2. They used an onsite interpreter to communicate with the patient.

Other options:

1. Contract interpreter, telephone interpreter lines, or Community volunteers

Competency of an Interpreter is critical. Consider the following:

1. Demonstrated proficiency
2. Knowledge of specialized terms or concepts
3. Confidentiality, ethics, and role of interpreter

Additional Methods:

1. Video conferencing interpretation services or other technology
2. Pooling resources and standardizing documents
3. Centralizing interpreter and translator services

Scenario 3

A Chinese woman enters a food stamp office. She tries to tell the employee that she needs food for her family. The staff is unable to communicate with her and tell her to come back with an interpreter.

Narrator:

Food Stamps benefits are considered urgent, and must be allowed to submit applications the day they come into apply.

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Review of four factor analysis as applied to the food stamp program.

1. Receives many applications from LEP persons
2. Frequently serves a significant number of LEP low-income households
3. Meets the urgent nutritional needs of low-income households
4. Provides nutrition services to LEP applicants, which outweighs the financial costs

Scenario 3 is replayed when there is an LEP plan in place to serve non-English speaking applicants. Woman is directed to a Chinese speaking caseworker who helps her complete the basic information to submit her application immediately that day. She is told all mail will come to her home in Chinese and when she comes into the office in the future, Chinese will be spoken.

Scenario 4

A girl is playing with her ball. The neighbor girl takes her ball away, and they begin to fight. The English speaking mother accuses the Russian mother of pushing her daughter. Police officers arrive. The English speaking mother says that the Russian mother assaulted her and her daughter. The Russian mother cannot understand the police officer. The police officer tries to have the child translate.

Narrator:

Ramon Rodriguez states how police should not use children to translate and why.

1. There is no way to know if they are fluent in both languages including specialized terms
2. They are not trained to interpret requiring accuracy and completeness
3. There may be confidentiality issues and concerns.

In certain circumstances, children or family members may be necessary until an interpreter can be accessed.

Scenario 4 is replayed using appropriate methods

1. Using I speak card for language identification
2. Called another police officer to interpret

The scene next is a meeting at police department with staff discussing the need to serve a large Russian population. They address the following issues:

1. Number of Russian speaking people encountered
2. Cost of an interpreter service
3. Need to identify competent Russian speaking staff
4. Will get information out to staff as to procedures to follow
5. Will add training for staff

Narrator:

LEP individuals can file complaints, if they feel they have been unfairly treated

Agencies must provide information to individuals on how to file a complaint

We must all work together to insure meaningful access

Scenario 1 replayed with appropriate interpreter services by the 911 Operator. The Police, ambulance, and a Spanish speaking interpreter is dispatched to the Spanish speaking Grandmother's home where her Granddaughter fell through attic floor and is bleeding from her side.